


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Court's November 29 order denying him damages. Montez's reconsideration motion is moot, as the Court has awarded him damages to the extent supported by the facts and permitted by law.¹ It is therefore

ORDERED that Plaintiff Montez's motion for reconsideration [Doc. # 82] is **DENIED as moot.**

SIGNED at Houston, Texas, this 25th day of March, 2014.



Nancy F. Atlas
United States District Judge

¹The Court deemed Montez's declaration timely pursuant to the prison mailbox rule, *id.* at 1 (citing *Cooper v. Brookshire*, 70 F.3d 377, 379 (5th Cir. 1995); *Spotville v. Cain*, 149 F.3d 374 (5th Cir. 1998)), and awarded Montez nominal and punitive damages. The Court held that Montez was not entitled to compensatory damages because he is a prisoner and did not show that he suffered a physical injury. Doc. # 78 (citing 42 U.S.C. § 1997e(e)).